



State of New Jersey

Jon S. Corzine
Governor

Department of Environmental Protection

Lisa P. Jackson
Commissioner

Office of Brownfield Reuse
401 East State Street, 6th floor
P O Box 028
Trenton, NJ 08625-0028

Certified Mail
Return Receipt Requested
No 7000167000368245033

OC 28 2008

Margaret W. Kelly, Vice President
Standard Chlorine Chemical Company, Inc.
1035 Belleville Turnpike
Kearny, NJ 07032

NOTICE OF DEFICIENCY

Re: Phase II Supplemental Remedial Investigation Workplan for
Standard Chlorine Chemical Company Site (SCC/116)
1015 To 1035 Belleville Turnpike
Kearny Town, Hudson County,
SRP PI# G000001583
Activity Number Reference. RPC000001

Dear Ms. Kelly

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on March 11, 2008 of the March 2008 "Phase II Supplemental Remedial Investigation Workplan (RIWP) submitted pursuant to the Administrative Consent Order (ACO) executed on October 20, 1989 and the Technical Requirements for Site Remediation at N.J.A.C. 7:26E (Tech Rules)

As you know, the Standard Chlorine Chemical Company property has been designated as a National Priorities List (NPL) site by USEPA. The NJDEP requested that USEPA's New York Remediation Branch conduct a review of the RIWP. According to Mr. Edward Als, USEPA Remedial Project Manager, the USEPA has declined to comment on this RIWP.

Deficiencies

The Department has completed its review of your submittal and identified the following deficiencies

- Description of Deficiency Pursuant to N.J.A.C. 7:26E-4.1(b), failure to delineate the horizontal and vertical extent of contamination to the applicable remediation standard, including the extent to which contamination has migrated off the property,

336014



- Description of Deficiency. Pursuant to N.J.A.C. 7:26E-4.5(b), failure to properly conduct the remedial investigation of surface water, wetlands, and sediment in accordance with the general technical requirements.
- Description of Deficiency Pursuant to N.J.A.C. 7:26E-4.4(c), failure to conduct a remedial investigation of ground water according to the general technical requirements

Comments:

1. Soil Delineation (Areas of Concern 2 and 3), Section 8.3, page 8-7 - The proposed surface delineation of SVOCs in soil south of the lagoons is inadequate. There are extremely high levels of 1,2,4-trichlorobenzene and naphthalene around the former lagoons. There are clear data gaps in delineation in the areas directly to the west and south of the former lagoons. It is clear from existing data that SVOCs are discharging to the Hackensack River along the northeastern and central shoreline of the site. There is insufficient upland soil data along the southeastern shoreline to determine how much discharge is occurring there, but existing data from groundwater monitoring wells and sediment samples from the southern drainage ditch and the river banks indicate it is occurring.

Three additional surface soil samples must be located south of proposed locations SS-5 and SS-6. In addition to analytical parameters proposed in the RIWP, *all* surface soil samples must also be analyzed for PAHs, including naphthalene and chlorobenzenes.

2. Area of Concern 1 – Lagoon Solids: Despite previous requests, NJDEP has yet to receive written confirmation/evidence that materials in the lagoon are not a RCRA listed hazardous waste. The RIWP must propose the submission of relevant historical documentation and/or data to insure the proper disposition of these materials. Clearly, it is one of the goals of a remedial investigation to identify the source and types of contamination/waste present at a site, so that conclusions/recommendations may be presented within a forthcoming Remedial Investigation Report.
3. Figure 8-1, Investigation Locations – Proposed delineation borings/surface soil contingency sample locations D-4 through D-12 must be installed and collected *without* contingency in order to delineate hexavalent chromium contamination in this entire general area. Discussions with the NJDEP technical team assigned to the adjacent Koppers case has confirmed the presence of hexavalent chrome in the location of proposed samples SS-2 and SS-3. Therefore, further delineation is warranted and must be proposed within the RIWP.
4. Near shore surface sediments have been previously characterized by limited sampling by Enviro-Sciences, Inc (ESI) in 2000 and by USEPA in 2002; additionally, one transect (TR-23) from the Hackensack River Study Area (HRSA) Remedial Investigation, June 2007, is immediately adjacent to the SCCC site. This RIWP proposes to use data from nine (9) near shore sediment locations to satisfy requirements for both the IRAW and RIWP. While this approach is conceptually acceptable, the following concerns must be addressed:

To satisfy the IRAW, characterization of near-shore sediment will be conducted in accordance with guidance for dredged materials/waste classification requirements (i.e., homogenization of 3-ft sediment core into one composite sample) in anticipation of onsite placement and/or offsite disposal. In accordance with previous NJDEP comments, *prior* to sediment excavation (as proposed within the IRAW), horizontal and vertical characterization and delineation of river sediments is required pursuant to N.J.A.C. 7:26E-4.1(b). Since Table 7-1 in this RIWP indicates surface (0-0.5') sediment sampling only, the RIWP must be

revised to indicate that subsurface sediment data will also be collected to accomplish delineation requirements

The Remedial Investigation of the Hackensack River sediments associated with the Standard Chlorine site remains incomplete. Notwithstanding the existence of prior data sets, data gaps remain outside the IRAW excavation footprint and Standard Chlorine must commit to completing the remedial investigation for river sediments

5. Ground water samples collected from the Upper Fill and Deep Sand zones must also be analyzed for total chromium. The RIWP (Table 7-1) currently indicates that samples will only be analyzed for hex-chrome
6. The RIWP (Section 8.1) identifies that a minimum of twenty-one (21) additional soil borings will be advanced to delineate the extent of recoverable DNAPL. However, Figure 8-1 does not clearly identify the sampling points as DNAPL delineation borings. The NJDEP will require that borings D-1 through D-21 must be advanced to achieve delineation of the extent of DNAPL. If these borings are not sufficient to achieve this objective, additional borings will be necessary to accomplish DNAPL delineation

Corrective Actions


To correct these deficiencies please take the following actions or make the required submittals within the timeframes indicated

- Submit a Revised Remedial Investigation Workplan within thirty (30) calendar days after receipt of this notice

Note that if deficiencies included herein are not addressed to the Department's satisfaction within the specified time period the Department will consider them to be violations and may assess penalties pursuant to N.J.A.C. 7 26C-10, or pursuant to the terms stipulated in the ACO

If you require copies of Department Guidance Documents or applications, many of these are available on the internet <http://www.state.nj.us/dep/srp>. If you have any questions regarding this matter contact Chris Kanakis Case Manager, at (609) 633-1460, prior to the date indicated

Sincerely,


Christopher Kanakis, Senior Project Manager
Office of Brownfield Reuse

Cc: Kenneth Kloo, Administrator
Edward Putnam, Assistant Director
Barry Tornick, USEPA
Dennis Munhall, USEPA
Edward Als, USEPA
Alan Strauss, USEPA
Colleen Kokas, OBR
Reyhan Mehran, NOAA
Timothy Kubiak, USFWS
Steve Byrnes, BEERA

George Nicholas, BGWPA
Frank Faranca, BCM
Gerard Coscia, Langan
Mitchell Brouman, Beazer East
